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Docket No. F-8766

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1621**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Seiko HIRAYAMA, et al.
Serial No. : 10/549,585
Filed : December 1, 2005
For : PHOSPHOR AND METHOD FOR PRODUCING SAME
Group Art Unit : 1621
Examiner : Kevin M. Johnson
Confirmation No. : 1212
Customer No. : 000028107

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 25, 2010.

Richard J. Danyko

(Name)

(Signature)

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appeal is hereby taken from the final rejection of claims 1-13 set forth in the Office Action issued November 25, 2009.

66/61/2010 SDENB0B3 00000004 10549585

52 FC:1401

540.00 OP

The fee of \$540.00 for filing the Notice of Appeal is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

A request for a three month extension of time is included in an Amendment after Final Rejection under 37 CFR 1.116 filed concurrently herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

Respectfully submitted,
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